

# **EXHIBIT 3**

**From:** Stefano Mazzocchi <stefano@apache.org>  
**Sent:** Monday, April 20, 2009 1:01 PM  
**To:** members@apache.org  
**Subject:** Re: Oracle buys Sun

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Bill Stoddard wrote:

> Just imagine the challenge that  
> lies ahead of Oracle with learning to become hardware vendors in a cut  
> throat, low margin, capital intensive business.

Unless they sell it.

The bigger question in my mind is not about hardware: what is Oracle's going to do with 500 million java-powered cell phones? What is Oracle going to do about Android's ripping off some of (now) their IP and getting away with it?

But one thing I want to say out loud: my biggest nightmares about having invested in a platform (java) that was not open was that somebody would come along and lock it down. My original fear was Microsoft, but Oracle fits the same profile.

This is why I wanted an OSI-licensed fully compliant JVM.

We forced Sun into OpenJDK as a defensive move against Harmony. If we didn't do Harmony, and OpenJDK didn't happen, all of our (and yours!) java code would feel a lot different today, wouldn't it?

But while the 'java trap' might be over as far as code goes, it is so not over about other IP, and we know very well (the OpenJDK people will realize that soon enough the hard way, I'm afraid)

Sun had but was afraid to exercise veto power at the JCP level, they knew it was a nuclear option. Would Oracle care at all if the JCP went up in the air? (with Sun and Bea gone, RedHat in pain and us religious freaks, who's left that even shows up on their radar but IBM?)

Java on the desktop is dead.

Java on the phone is dying rapidly under the attack of serious smart phones (on one side) and moore law on the other.

Java on the server is alive and well, although hardly innovative. It's enterprise legacy. It's the new COBOL, the new OS400. Oracle and IBM are strong there. Fiercely strong.

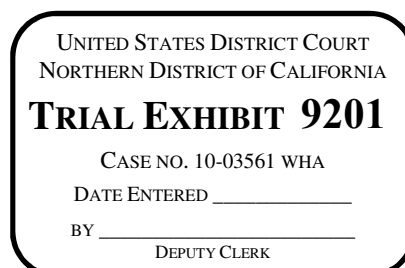
The difference is that IBM knows (by now) how to seed and manage communities, Oracle does not (nor cares, AFAIK). The best they can do to something open they acquire is not to kill it in the process... (think Sleepycat).

Oracle MySQL, Oracle OpenOffice, Oracle NetBeans... scary.

Today is the day our (collective, painful, mostly considered foolish and laughable) investment in Harmony finally pays off.

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Stefano.

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